

## Section 710 - Private Sewage Disposal Systems

**710.01 Definitions.** Unless the context clearly indicates otherwise, the following terms have the meanings given in this Subsection.

**Flush Toilet.** A closet or plumbing receptacle containing a portion of water which receives human excreta and so designed as by means of a flush of water to discharge the contents of the receptacle to an outlet connection.

**Habitable Building.** Any structure where persons reside, are employed, or congregate.

**Other Toilet Devices.** Privies, septic toilets, chemical closets, and such other devices used for the disposal of human excreta.

**Portable Toilet Device.** Any non-flush toilet device which is enclosed, is designed for receipt and storage of human excrement, is capable of being transported for temporary use and is constructed to provide for removal of the stored excrement in a clean and sanitary manner.

**Private Sewage Disposal System.** Any privy, cesspool, dry well, toilet, seepage pit, sewer pipe, septic tank, subsurface disposal system, or any similar contrivance used in the disposal of sewage whether specifically named in this Section or not. Private sewage disposal systems include individual sewage treatment systems as defined by the Minnesota Pollution Control Agency.

**710.02 Faulty Condition of Private Sewage Disposal System.** It shall be unlawful for any person to occupy or permit to be occupied any habitable building where effluent from a private sewage disposal system does not drain completely out of such habitable building or drains on or through the surface of the ground, or into any ditch, storm sewer, lake or stream.

**710.03 MPCA Standards Adopted.** The standards for private sewage disposal systems issued by the Minnesota Pollution Control Agency and published in Minnesota Rules, 1991, Chapter 7080, are adopted and incorporated in this Code by reference.

**710.04 Requirements for Private Sewage Disposal Systems; Permit and Fee.**

Subd. 1 **Connection.** All flush toilets, lavatories, sinks, bathtubs, showers, laundry drains and any other similar fixtures constructed to be used to receive or conduct water-carried sewage, if not required to be connected to the City sewer system in accordance with Section 445 of this Code, shall be connected to a septic tank of a type approved by the Sanitarian, and finally disposed of in a manner approved by this Section.

Subd. 2 **Location of Septic Tanks.** No septic tank shall be located where it is inaccessible for cleaning or inspection purposes. No septic tank, tile field, or any part of a septic tank or tile field may be located on any property other than that of the habitable building which it serves.

Subd. 3 **Permit and Approval of Plans.** Any person who shall construct, reconstruct, or replace any private sewage disposal system shall first obtain a written permit and approval of plans and specifications from the Sanitarian and pay a fee in the amount set forth in Section 185 of this Code. The application for the permit shall be made on forms provided by the Sanitarian. The private sewage disposal system shall be constructed in accordance with the approved plans and specifications, which shall comply with the requirements of Subsections 710.03, 710.04 and 710.05.

#### **710.05 Prohibited Devices; Abandonment or Connection to Municipal Sewer System.**

Subd. 1 **Other Toilet Devices.** No "other toilet devices" as defined in Subsection 710.01 may be erected, used or maintained within the City. They shall be removed upon written demand of the City given to the owner of the property as determined by the records of the City. If not promptly removed after such demand is made they shall be declared to be a nuisance and may be abated and the costs charged to the property where located pursuant to Subsection 705.07 of this Code. Portable toilet devices operated and maintained by a scavenger licensed pursuant to Section 1305 of this Code are permitted for use at construction sites, during sporting events and during fairs, carnivals and other civic activities.

Subd. 2 **Abandonment or Connection.** Whenever the use of any private sewage disposal system is abandoned, or whenever any building is connected to the municipal sewer system, the private sewage disposal system shall be pumped and filled with earth material approved by the Sanitarian at the time of connection or immediately upon abandonment. If not so pumped and filled, such system is declared to be a nuisance and may be abated and the cost charged and assessed against the property where the system is located, all pursuant to Subsection 705.07 of this Code.

Subd. 3 **Private Sewage Pumping Schedule.** Each private sewage disposal system remaining active on any property shall be pumped at least once every two years and inspected by a licensed scavenger and such pumping shall be recorded on a form provided by the City and delivered to the City within ten days after such pumping and inspection. The pumping and inspection shall be undertaken pursuant to a permit duly issued in accordance with Subsection 1305.09 of this Code. The Sanitarian may vary the above-described pumping and inspection requirement only after facts have been presented to the Sanitarian sufficient, in the determination of the Sanitarian, to conclude, in the Sanitarian's sole discretion, that a less frequent pumping schedule will not damage or adversely affect the absorbency of the drain field or otherwise adversely affect the public health, safety or welfare.

*History: Ord 712 codified 1970; amended by Ord 712-A1 5-13-81*

*Cross Reference: Sections 185, 445, 1305; Subsections 705.07, 1305.09*